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Atty. Dkt. No. 025700-0120

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Thom Zawerucha

Title:

TOGGLE CLAMP ASSIST TOOL

Appl. No.:

10/773,725

Filing Date:

02/05/2004

Examiner:

To be determined

Art Unit:

3765

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV 593165445 US 05/27/05

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Roberta A. Cooper

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

<u>STATEMENT</u>

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date <u>05 -27 - 05</u>

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MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
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Whiter the Paperwork Substitute for form 1449B/PTO Complete if Known 10/773,725 INFORMATION DISCLOSURE **Application Number** 2/5/2004 STATEMENT BY APPLICANT **Filing Date First Named Inventor** Thom Zawerucha Date Submitted: May 27, 2005 Group Art Unit 3765 (use as many sheets as necessary) Examiner Name To Be Detemined Sheet 1 of 1 Attorney Docket Number 025700-0120

				U.S. PATENT DOCUMENTS	3	
	Cite No. ¹	U.S. Patent Document			Date of Publication of	Pages, Columns, Lines, Where Relevant
Examiner Initials*		Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear
	A1	3,850,013		Polvara	11/26/1974	

					F	DREIGN PATENT DOCUMEN	TS		
Examiner Initials*	Cite No.1	Foreign Patent Document Office ³ Number ⁴ Kind Code ⁵ (if known)			ode ⁵	Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Т6
	A2	wo	03/064705	•	A1	Grönberg	08-07-2003		

		NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Itom (book magazino journal corial evimpositino estable eta) deta maga(a) tialitima inclue militaria					
	A3	International Search Report – PCT/US2005/003320, date of mailing 4/26/2005, 4 pages.				
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Examiner Signature	Date Considered	

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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.